

UNITED STATES PROBATION OFFICE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE

PETITION FOR WARRANT FOR OFFENDER UNDER SUPERVISION

Name of Offender: Joshua James Collins

Docket Number: 2:15-CR-00026-001

Name of Sentencing Judicial Officer: The Honorable J. Ronnie Greer
United States District Judge

Date of Original Sentence: April 18, 2016

Original Offense: Felon in Possession of a Firearm, in violation of Title 18 U.S.C. § 922(g)(1)

Class: C Felony

Criminal History Category: VI

Original Sentence: 48 months imprisonment and 36 months supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: December 31, 2020

Date Supervision Expires: December 30, 2023

Assistant U.S. Attorney: J. Gregory Bowman

Defense Attorney: Rosana E. Brown

Revocation Guideline Range: 21-27 months

Statutory Maximum: 2 years

PETITIONING THE COURT

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	General Condition: The defendant shall not commit another federal, state, or local crime.
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On April 30, 2021, Mr. Collins made contact with this officer via telephone to report he was arrested and charged with Theft Over \$10,000, on April 29, 2021, for being in possession of a stolen vehicle. Mr. Collins explained to this officer he bought his

daughter a vehicle for \$2,000 from someone named Chris. He stated he did not personally know the individual he bought the vehicle from. This officer investigated further and obtained the following report from Knox County's Justice Information Management System:

"THE DEFENDANT COMMITTED THE OFFENSE OF THEFT (\$2,500 - \$10,000), IN VIOLATION OF TCA SECTION 39-14-103. THIS INCIDENT OCCURRED ON OR ABOUT THURSDAY, APRIL 29, 2021 AT 13:26 AT 1510 TEXAS AVENUE. ON 04/29/2021 TROOPER RYAN FLETCHER AND TROOPER BRYAN MARTIN RECEIVED INFORMATION ON A STOLEN VEHICLE FROM SERGEANT JOE WALKER, WHICH HE HAD RECEIVED FROM NICB REGARDING A STOLEN VEHICLE. INFORMATION WHICH WAS RELAYED CONTAINED AN ADDRESS, TROOPER FLETCHER AND TROOPER MARTIN THEN CONDUCTED A LOCATION CHECK AT 1510 TEXAS AVENUE KNOXVILLE, TN. 37912. BOTH TROOPERS OBSERVED A VEHICLE MATCHING THE DESCRIPTION OF THE STOLEN VEHICLE: TOYOTA RAV4, BLUE IN COLOR, DISPLAYING TENNESSEE TAG 9L4 0B7. A WHITE MALE WAS PRESENT ON THE PORCH OF THE RESIDENCE, AFTER OBSERVING THE RESIDENCE FOR SEVERAL MINUTES, TROOPERS FLETCHER AND MARTIN APPROACHED THE RESIDENCE AND MADE CONTACT WITH THE MALE SUBJECT. AFTER IDENTIFYING THE MALE SUBJECT AS, JOSHUA J. COLLINS, HE WAS ASK WHO OWNED THE VEHICLE AT WHICH TIME HE STATED HE DID. COLLINS ADVISED HE HAD PURCHASED THE VEHICLE IN JOHNSON CITY TENNESSEE THREE DAYS PRIOR, FROM A SUBJECT HE IDENTIFIED AS C. AFTER INFORMING COLLINS THAT THE VEHICLE HAD BEEN REPORTED STOLEN, HE WAS ASK FOR THE KEYS WHICH HE PRODUCED. HE STATED THAT HE DID GET THE KEYS AND A TITLE FOR THE VEHICLE WHEN HE PURCHASED IT FOR \$2000 CASH, FROM THE MALE IDENTIFIED AS C. A CHECK THROUGH T.H.P. DISPATCH, DID CONFIRM VEHICLE IDENTIFICATION NUMBER WAS REPORTED STOLEN AND MATCHED THE VEHICLE INFORMATION PROVIDED BY NCIB AND SERGEANT WALKER. COLLINS WAS COOPERATIVE AND PROVIDED THE TITLE HE RECEIVED, WHICH ALSO MATCHED THE VEHICLE IDENTIFICATION NUMBER OF THE VEHICLE IN QUESTION. THE TITLE DID HAVE A SIGNATURE, WHICH DID NOT MATCH THE SIGNATURE OF THE REGISTERED OWNER, WHO REPORTED THE VEHICLE STOLEN. ANISSA STRONG, THE OWNER OF RECORD, REPORTED THE VEHICLE STOLEN ON APRIL 26, 2021, THE SIGNATURE ON THE TITLE, WAS COMPARED TO HER DRIVERS LICENSE SIGNATURE ON FILE. COLLINS AND HIS GIRLFRIEND BOTH HAD CONFLICTING STORIES WHEN RECALLING WHERE THE VEHICLE WAS PURCHASED AND COLLINS WAS UNABLE TO PROVIDE FURTHER PROOF OF PURCHASE. COLLINS WAS THEN PLACED UNDER ARREST FOR THEFT OVER \$10,000 AND TRANSPORTED TO THE KNOX COUNTY JAIL. WASHINGTON COUNTY SHERIFF'S DEPUTY MALONE WAS NOTIFIED OF THE RECOVERY AND WILL REMOVE THE VEHICLE FROM NCIC. THE VALUE OF THE VEHICLE

IS APPROX. 10,000.00. THIS DID OCCUR IN KNOX COUNTY TENNESSEE. A CITATION WAS NOT ISSUED BECAUSE OFFENSE IS A FELONY.”

Mr. Collins is scheduled to appear in in Knox County General Sessions Court on August 9, 2021, for the above offense.

- 2 General Condition:** The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

On March 3, 2021, Mr. Collins reported to Midway Rehabilitation Center for a random drug screen as directed by the Code-A-Phone referral system. The sample tested presumptively positive for methamphetamine. The sample was sent to Abbott Laboratory for confirmation testing. The results returned positive for amphetamine and methamphetamine. The specimen was also found to be diluted as to specific gravity.

On April 30, 2021, Mr. Collins reported to Midway Rehabilitation Center for a random drug screen as directed by the Code-A-Phone referral system. Mr. Collins was unable to produce a urine sample on that date.

On May 4, 2021, Mr. Collins reported to the United States Probation Office as instructed by this officer. Mr. Collins provided a urine sample which tested presumptively positive for methamphetamine, amphetamine, and methylenedioxymethamphetamine (MDMA). He signed a Chain of Custody Form admitting use of methamphetamine on April 30, 2021. Due to admission of use of methamphetamine, the sample was not sent to the laboratory for further testing.

On May 6, 2021, Mr. Collins reported to Midway Rehabilitation Center for a random drug screen as directed by the Code-A-Phone referral system. The sample tested presumptively positive for methamphetamine and amphetamine. Mr. Collins signed a Chain of Custody Form admitting use of methamphetamine a “couple days ago.” The sample was sent to Abbott Laboratory for confirmation testing. On May the results returned positive for amphetamine and methamphetamine. The specimen was also found to be diluted as to creatinine.

The above non-compliance was previously reported to the Court on May 13, 2021. Random drug screening was continued, and Mr. Collins was referred to Cherokee Health Systems for drug abuse treatment. No action was taken at that time to provide Mr. Collins the opportunity to correct his behavior.

- 3 Mandatory Condition:** The defendant shall not commit another federal, state, or local crime.

On June 30, 2021, this officer was made aware by Officer Grantham with Knox County Police that Mr. Collins was arrested on the charges of Driving While License Revoked and Reckless Driving. The Incident Report states:

“On 06/30/2021 at 12:13 hours, Officer E. Grantham (2190) responded to a reckless driving offense at Virginia Ave/McSpadden St. Officers received information that the defendant, Joshua Collins, was engaging in illegal drug sales. The information provided led officers to 1510 Texas Ave. Officers also knew Collins to be operating a red motorcycle. While patrolling the area of Texas Ave, a red motorcycle bearing TN tag 969ZV2 was observed eastbound on Heiskell Ave to I-275 South. The tag on the motorcycle is registered to the defendant. The motorcycle was driven by a white male with tattoos on both arms, a black shirt, and blue jean shorts. Affiant followed the defendant for a distance to Virginia Ave at McSpadden St. At that point the defendant accelerated at a very high rate of speed (estimated over 100 MPH). Affiant attempted to catch up to the defendant, but once at Virginia Ave and Western Ave, the defendant proceeded illegally around a KAT bus stopped at a stop sign, on the left hand side, never slowing for the stop sign and placing himself and others in danger of serious bodily injury or death. Affiant believes the defendant fled in an apparent attempt to evade officers; however, Affiant did not initiate emergency equipment to signal a traffic stop given the long distance between the cruiser and defendant's motorcycle and his preemptive flight. A records check revealed the defendant to have a revoked license since 03/10/2014. Officers received information that the defendant would be at 800 Market St at 13:00 hours for a meeting with his Federal Probation Officer. The defendant was taken into custody without incident. The defendant was wearing the same clothing and had the key and title to the motorcycle on his person at the time of arrest. Following Miranda, the defendant denied driving the motorcycle, but stated that a friend named "Chad" had borrowed it from him and then returned the key to him. A citation was not issued due to the likelihood the driving offense would continue. This did occur in Knoxville, Knox County, TN.”

Mr. Collins is scheduled to appear in Knox County General Sessions Court on July 27, 2021, on the above charges.

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Special Condition: The defendant shall participate in a program of testing and/or treatment for drug and/or alcohol abuse, as directed by the probation officer, until such time as you are released from the program by the probation officer.

Mr. Collins failed to report to Midway Rehabilitation Center on the dates of May 18, 2021, May 28, 2021, and June 16, 2021, as directed by the Code-A-Phone referral system for random drug screens.

On June 28, 2021, Mr. Collins reported to Midway Rehabilitation Center as directed by the Code-A-Phone referral system. However, he was unable to produce a sample on that date. He told Midway staff it may have been because of certain medication he was on.

On April 20, 2021, this officer referred Mr. Collins to Cherokee Health Systems for drug abuse treatment. Mr. Collins provided this officer with no verification and told this officer Cherokee Health Systems would not accept him into their program due to his recent drug use. This information cannot be verified because Mr. Collins did not sign a release of information for Cherokee Health Systems.

Assessment of Flight/Danger and Bond Recommendation: Mr. Collins attempted to flee from officers on foot during this arrest on the instant offense, and he has a criminal history which includes arrests for Evading Arrest, Failure to Appear, Resisting Arrest, Felony Evading Arrest, Felony Failure to Appear, and Leaving the Scene of an Accident; as such, he is considered to be a risk of flight. Due to his two arrests while under supervision, positive drug screens for illegal substances, and failure to participate in drug treatment and testing, he is also considered a danger to the community. Therefore, it is respectfully recommended Mr. Collins be detained pending a hearing to show cause as to why his term of supervision should not be revoked.

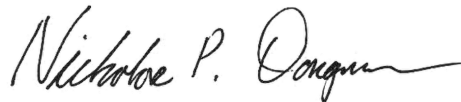
Petitioning the Court to order:

That a Warrant be issued and the defendant be ordered to appear in Court for a hearing to determine whether the term of supervision should be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

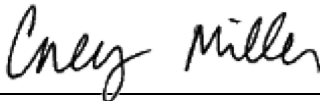
Executed on July 2, 2021

Respectfully submitted,



FOR: Erin A Yancey
United States Probation Officer
Knoxville Division

APPROVED:



Corey Edward Miller
Supervising United States Probation Officer

EAY: mfw

ORDER OF COURT:

A Warrant is to be issued, and the defendant is ordered to appear in Court for a hearing to determine whether the term of supervision should be revoked. This petition is to be placed under seal until the defendant is arrested or appears in Court.

So ordered.

ENTER.



The Honorable J. Ronnie Greer
United States District Judge